

Notice of Allowability

Application No.

10/057,741

Applicant(s)

SPRATT, MICHAEL P.

Examiner

Art Unit

Huy D. Nguyen

2681

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 6/7/2005.
2. ☒ The allowed claim(s) is/are 1-3,5-8, 10, 12-13 and 18-20.
3. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some* c) ☐ None of the:
- ☒ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying Indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|---|---|
| 1. <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 6. <input type="checkbox"/> Interview Summary (PTO-413),
Paper No./Mail Date _____ |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date _____ | 7. <input checked="" type="checkbox"/> Examiner's Amendment/Comment |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit
of Biological Material | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance |
| | 9. <input type="checkbox"/> Other _____ |

EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Robert Popa on 09/28/2005.

The application has been amended as follows:

Claim 1, line 18: after "current location estimate", "." has been deleted; the following language has been inserted: -- , wherein the move detection arrangement comprises both a first detector arrangement for detecting a first said indication in the form of an indication that the device has physically been subject to motion, and a second detector arrangement for detecting a second said indication constituted by a change in the set of nearby devices from which the subject device can receive transmissions via its short-range receiver; the location-validity supervisor being responsive to the detection of a said first indication to query the second detector arrangement as to whether said second indication is present, the location-validity supervisor determining the current location estimate to be invalid when both said first and second indications are present. --.

Claim 10, line 1: after "according to claim", "9" has been deleted; -- 1-- has been inserted.

Claim 18, line 4: after "location of the", -- static but movable -- has been inserted.

Art Unit: 2681

Claim 18, line 5: after “receiver;”, the following language has been inserted: -- a neighbor-determination arrangement arranged to determine a set of nearby devices which the static but movable device can hear on its short-range wireless receiver on a regular basis; --.

Claim 18, line 6: after “indications that the”, -- static but movable -- has been inserted.

Claim 18, line 7: after “have been moved”, “, the move detection arrangement comprising a first detector arrangement for detecting a first said indication in the form of a change in the set of nearby devices from which the subject device can receive transmissions via its short-range receiver;” has been deleted; -- ; -- has been inserted.

Claim 18, line 15: after “valid”, “.” has been deleted; the following language has been inserted: -- , the location-validity supervisor being arranged to effect this determination by prompting the devices in said set of nearby devices to transmit and then determining whether substantially all of the devices in said set of nearby devices can still be heard by the short-range wireless receiver of the static but movable device. --.

Claims 9, 11, 16 and 17 have been canceled.

2. The following is an examiner’s statement of reasons for allowance:

Regarding claims 1 and 18, the closest prior arts, Parupudi et al. (US 2002/0119788) and Sugarbroad et al. (U.S. Patent No. 5,850,609), either singularly or in combination, fail to teach (previously presented) a static but movable device, comprising: location-data processing arrangement deriving successive estimates of the current location of the device using location data received on an on-going basis by the short-range receiver; move detection device at least arrangement detecting indications that the may have been moved, and location-validity

Art Unit: 2681

supervisor for determining, following detection one or more indications by the move detection arrangement, whether the current location estimate is to be treated as still valid, the location-data processing arrangement being arranged, response the location- validity supervisor determining that the current location estimate invalid, to discard that location estimate as current and thereafter use subsequently-received location data derive a new current location estimate, in combination with all of other limitations in the claims.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Contact Information

3. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Huy D. Nguyen whose telephone number is 571-272-7845. The examiner can normally be reached on M-F.


If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Joseph H. Feild can be reached on 571-272-4090. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 2681

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Huy Nguyen



JOSEPH FEILD
SUPERVISORY PATENT EXAMINER